

**UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT**

LOUISIANA MUNICIPAL POLICE	)	Case No. 2:11-CV-00289-WKS
EMPLOYEES' RETIREMENT SYSTEM, <i>et</i>	)	
<i>al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
GREEN MOUNTAIN COFFEE ROASTERS,	)	
INC., <i>et al.</i>	)	
	)	
Defendants.	)	
	)	
	)	

---

**DEFENDANT GREEN MOUNTAIN COFFEE ROASTERS, INC.'S  
MOTION FOR A CONTINUANCE OF THE AUGUST 27, 2013 ARGUMENT**

Defendant Green Mountain Coffee Roasters ("Green Mountain" or the "Company") respectfully moves for a continuance of the August 27, 2013 argument scheduled on Defendants' motion to dismiss.

As grounds for this Motion, Green Mountain states that its counsel, Randall W. Bodner, is unable to argue the motion due to an accident involving his spouse that occurred on Saturday, August 24, 2013 and that resulted in her hospitalization. Mr. Bodner had prepared to argue the motion on behalf of the Company and, due to his role as lead counsel and his familiarity with this action and the related litigation filed before this Court, the Company respectfully requests that the argument be continued to the next date that is available on the Court's schedule and is suitable for all counsel. Plaintiffs do not oppose Green Mountain's request for a continuance.

WHEREFORE, for the reasons set forth in this motion, Green Mountain respectfully requests that this Court continue the August 27, 2013 argument.

Dated at Burlington, Vermont this 26th day of August, 2013.

**COUNSEL FOR DEFENDANT GREEN  
MOUNTAIN COFFEE ROASTERS, INC.**

By: /s/ Matthew S. Borick  
Robert B. Luce  
Matthew S. Borick  
DOWNS RACHLIN MARTIN PLLC  
Courthouse Plaza  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190  
Telephone: 802-863-2375  
Facsimile: 802-862-7512  
bluce@drm.com  
mborick@drm.com

Randall W. Bodner  
R. Daniel O'Connor  
Anne Johnson Palmer  
(*admitted pro hac vice*)  
Mark D. Vaughn  
(*pro hac vice admission pending*)  
ROPES & GRAY LLP  
Prudential Tower  
800 Boylston Street  
Boston, MA 02199-3600  
Telephone: 617-951-7000  
Facsimile: 617-951-7050  
randall.bodner@ropesgray.com  
daniel.oconnor@ropesgray.com  
anne.johnsonpalmer@ropesgray.com  
mark.vaughn@ropesgray.com

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 26, 2013, I electronically filed with the Clerk of Court the foregoing document using the CM/ECF system. The CM/ECF system will provide service of such filing via Notice of Electronic Filing (NEF) to the following NEF counsel:

Karen McAndrew, Esq. [kmcandrew@dinse.com](mailto:kmcandrew@dinse.com), [ppettine@dinse.com](mailto:ppettine@dinse.com)  
Robin A. Freeman, Esq. [rfreeman@lynnlawvt.com](mailto:rfreeman@lynnlawvt.com), [aspears@lynnlawvt.com](mailto:aspears@lynnlawvt.com)  
Michael D. Blatchley, Esq. [michaelb@blbglaw.com](mailto:michaelb@blbglaw.com)  
Mark R. Rosen, Esq. [mrosen@barrack.com](mailto:mrosen@barrack.com), [rbranch@barrack.com](mailto:rbranch@barrack.com)  
Jaculin Aaron, Esq. [jaaron@shearman.com](mailto:jaaron@shearman.com)  
Adam S. Hakki, Esq. [ahakki@shearman.com](mailto:ahakki@shearman.com)  
Jeffrey J. Resetarits, Esq. [jeffrey.resetarits@shearman.com](mailto:jeffrey.resetarits@shearman.com)  
Joshua E. D'Ancona, Esq. [jdancona@ktmc.com](mailto:jdancona@ktmc.com)  
Michael K. Yarnoff, Esq. [myarnoff@ktmc.com](mailto:myarnoff@ktmc.com)  
John A. Kehoe, Esq. [jkehoe@ktmc.com](mailto:jkehoe@ktmc.com)  
John J. Gross, Esq. [jgross@ktmc.com](mailto:jgross@ktmc.com), [dpotts@ktmc.com](mailto:dpotts@ktmc.com)  
John C. Browne, Esq. [johnb@blbglaw.com](mailto:johnb@blbglaw.com)  
Laura H. Gundersheim, Esq. [laurag@blbglaw.com](mailto:laurag@blbglaw.com), [errol@blbglaw.com](mailto:errol@blbglaw.com),  
[lawrence.silvertro@blbglaw.com](mailto:lawrence.silvertro@blbglaw.com)  
Lisa M. Lamb, Esq. [llamb@barrack.com](mailto:llamb@barrack.com), [cbowers@barrack.com](mailto:cbowers@barrack.com)  
Jeffrey A. Barrack, Esq. [jbarrack@barrack.com](mailto:jbarrack@barrack.com), [mbonatara@barrack.com](mailto:mbonatara@barrack.com)

/s/ Matthew S. Borick  
Matthew S. Borick